UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,015	12/04/2001	Bruce L. Johnson	10013403-1	7972

7590   12/13/2005

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EXAMINER
LAM, ANDREW H

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/000,015	JOHNSON ET AL.
	Examiner	Art Unit	
	Andrew H. Lam	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 September 2005*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

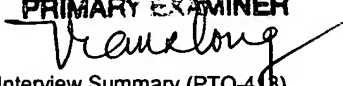## Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN
PRIMARY EXAMINER

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

- This action is responsive to the following communication: an Amendment filed on

  9/15/05.

- Claims 1-20 are pending in the present application. Claims 1, 4, 8-10, 12-15, and

  18 are amended.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by

Fujimoto (JP 08152912).

Regarding claim 1, Fujimoto discloses a method for selecting a print driver (see

fig. 1) comprising: receiving information corresponding to a print task (fig. 2, step 21,

receive print data from driver interface), wherein the print task exhibits a document type

(fig. 2, step 22, judge data type of print data; paragraph 26 and paragraph 35);

determining the document type for the print task (paragraph 27, determined data type is

sent to pdl selection section); and selecting a page description language driver based

upon the document type that is to be used to convert the information corresponding to

the print task such that after conversion the information corresponding to the print task

exhibits a page description language of the selected page description language driver

(paragraph 28 and paragraph 29).

Regarding claim 2, Fujimoto discloses the method of claim 1, further comprising:

converting the information corresponding to the print task having the page description

language to a printer (fig. 2, step 27, pdl print data is transmitted to the printer).

Regarding claim 3, Fujimoto discloses the method of claim 2, further comprising: sending the information corresponding to the print task having the page description language to a printer (fig. 2, step 27, pdl print data is transmitted to the printer, it is known in the art that print data (application i.e. Adobe graphics applications) needs to be converted (using print driver) into PDL data stream so that the printer can understand how to print the print task.

Regarding claim 4, Fujimoto discloses the method of claim 1, wherein determining a page description language driver includes: selecting the page description language driver to convert the information corresponding to the print task based upon pre-determined relationships (fig. 2, step 23, graphics or images contained in print data, i.e. the graphics and images pre-determined relationships so the selection unit can select the best pdl driver to handle the print task); and selecting the page description language driver that corresponds to the page description language (fig. 2, step 25, determine the pdl corresponding to the print data).

Regarding claim 5, Fujimoto discloses the method of claim 4, wherein determining the page description language driver to convert the information corresponding to the print task based upon pre-determined relationships, includes: selecting a Postscript page description language driver if the document type is an Adobe type document (paragraph 9 and paragraph 21--it is known in the art that PDL is a printer machine language used to specify and control the content and format of printed pages. Examples of PDLs are Postscript, PCL, PCL-5, PCL-XL, HPGL, etc...Therefore, postscript is taken into consideration as the PDL type claimed).

Regarding claim 6, Fujimoto discloses the method of claim 4, wherein

determining the page description language driver to convert the information

corresponding to the print task based upon pre-determined relationships, includes:

selecting a PCL-5 page description language driver if the document type is selected

from a forms type document and a legacy type document (paragraph 9 and paragraph

21, it is known in the art that PDL is a printer machine language used to specify and

control the content and format of printed pages. Examples of PDLs are Postscript, PCL,

PCL-5, PCL-XL, HPGL, etc...Therefore, PCL-5 is taken into consideration as the PDL

type claimed).

Regarding claim 7, Fujimoto discloses the method of claim 4, wherein

determining the page description language driver to convert the information

corresponding to the print task based upon pre-determined relationships, includes:

selecting a PCL-XL page description language driver if the document type is selected

from a Microsoft-Word type document, Microsoft-Excel type document, and a Visio type

document (paragraph 9 and paragraph 21--it is known in the art that PDL is a printer

machine language used to specify and control the content and format of printed pages.

Examples of PDLs are Postscript, PCL, PCL-5, PCL-XL, HPGL, etc...Therefore, PCL-

XL is taken into consideration as the PDL type claimed).

Regarding claim 8, Fujimoto discloses the method of claim 1, wherein selecting a

page description language driver includes: selecting the page description language

driver that results in the shortest print time for the information corresponding to the print

task (paragraph 21, short time for pdl conversion and transfer time therefore resulting in

short print time).

Regarding claim 9, Fujimoto discloses an adaptive print driver system (fig. 1,

printer driver selection system), comprising: a page description language driver

selection system configured to receive information corresponding to a print task (fig. 2,

step 21, receive print data from driver interface), wherein the print task has a document

type (fig. 2, step 22, judge data type of print data; paragraph 26); configured to

determine the document type for the print task (paragraph 27, determined data type is

sent to pdl selection section); and configured to select a page description language

driver based upon the document type that is to be used to convert the information

corresponding to the print task to information corresponding to the print task exhibiting

the page description language of the selected page description language driver

(paragraph 28 and paragraph 29).

Regarding claim 10, Fujimoto discloses the system of claim 9, further comprising:

a plurality of page description language drivers each configured to convert the

information corresponding to the print task to information corresponding to the print task

exhibiting a page description language for that page description language driver

(paragraph 21).

Regarding claim 11, Fujimoto discloses the system (fig. 1, system for selecting a

PDL type for use by the device driver) of claim 10, wherein the at least one page

description language driver is selected from a PCL-5e driver, HPGL driver, PCL-3

driver, PCL-5c driver, PCL-XL driver, and a Postscript driver (paragraph 9 and

paragraph 21--it is known in the art that PDL is a printer machine language used to

specify and control the content and format of printed pages. Examples of PDLs are

Postscript, PCL, PCL-5, PCL-XL, HPGL, etc...Therefore, postscript is taken into

consideration as the PDL type claimed).

Regarding claim 12, Fujimoto discloses the system (fig. 1, system for selecting a

PDL type for use by the device driver) of claim 10, wherein at least one page description

language driver is configured to send the information corresponding to the print task

exhibiting the page description language to a printer (fig. 2, step 27, pdl print data is

transmitted to the printer--it is known in the art that print data (application i.e. Adobe

graphics applications) needs to be converted (using print driver) into PDL data stream

so that the printer can understand how to print the print task).

Regarding claim 13, Fujimoto discloses the system (fig. 1, system for selecting a

PDL type for use by the device driver) of claim 10, wherein the page description

language driver selection system (fig. 1, PDL selection section 5) is configured to

determine the page description language to convert the information corresponding to

the print task based upon pre-determined relationships (fig. 2, step 23, graphics or

images contained in print data, i.e. the graphics and images pre-determined

relationships so the selection unit can select the best pdl driver to handle the print task)

and is configured to select the page description language driver that corresponds to the

page description language (fig. 2, step 25, determine the pdl corresponding to the print

data).

Regarding claim 14, Fujimoto discloses the system (fig. 1, system for selecting a

PDL type for use by the device driver) of claim 10, further comprising: means (fig. 1,

GDI.exe. 12, paragraph 4, receive print data) for receiving information corresponding to a print task, wherein the print task has a document type (fig. 2, step 22, judge data type of print data; paragraph 26); means (fig. 1, data type judgment section 3) for determining the document type for the print task (fig. 2, step 22, judge data type of print data; paragraph 26); means (fig. 1, PDL selection section, is used to select the most suitable pld driver for the application type) for selecting of the page description language driver based upon the document type that is to be used to convert the information corresponding to the print task to information corresponding to the print task exhibiting the page description language of the selected page description language driver (paragraph 28 and paragraph 29).

Regarding claim 15, Fujimoto discloses the system (fig. 1, system for selecting a PDL type for use by the device driver) of claim 10, further comprising: means (fig. 1, pdl conversion section 2) for converting the information corresponding to the print task using one of the page description language drivers.

Regarding claim 16, Fujimoto discloses the system (fig. 1, system for selecting a PDL type for use by the device driver) of claim 10, wherein the page description language driver selection system is implemented in a printer (paragraph 59 and fig. 1 and 6).

Regarding claim 17, Fujimoto discloses the system of claim 10, wherein the page description language driver selection system is implemented in a computer (see fig. 1 and fig. 6).

Regarding claim 18, Fujimoto discloses a computer readable medium for use in a

computer system (fig. 1 and fig. 6) for selecting a print driver, said computer readable

medium comprising: logic (fig. 1, GDI.exe. 12, paragraph 4, receive print data)

configured to enable information corresponding to a print task to be received; logic (fig.

2, step 22, judge data type of print data; paragraph 26); means (fig. 1, data type

judgment section 3) configured to enable a document type for the print task to be

determined fig. 2, step 22, judge data type of print data; paragraph 26); and logic

configured to enable a page description language driver to be select (fig. 1, PDL

selection section, is used to select the most suitable pld driver for the application type)

based upon the document type that is to be used to convert the information

corresponding to the print task to information corresponding to the print task having the

page description language of the selected page description language driver (paragraph

28 and paragraph 29).

Regarding claim 19, Fujimoto discloses the computer readable medium of claim

18, further comprising: logic (fig. 1, pdl conversion section 2) configured to enable

information corresponding to the print task to be converted using the page description

language driver.

Regarding claim 20, Fujimoto discloses the computer readable medium of claim 18,

further comprising: logic configured to enable the information corresponding to the print

task having the page description language to be sent to a printer (fig. 1, printer control

section 8).

Response to Arguments

Applicant's arguments, see pages 6-8, filed 9/15/05, with respect to the rejection(s) of claims 1-20 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art references due to newly amended limitations as cited in claims.

Contact Information

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew H. Lam whose telephone number is (571) 272-8569. The examiner can normally be reached on M-F (9:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Lam   12/1/05

DOUGLAS O TRAN
PRIMARY EXAMINER